

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY lg D.C.

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UNITED STATES OF AMERICA,

VS.

NO. 02-20168-Ma

DETROIT BOYD,

Defendant.

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TENN. MEMPHIS

ORDER DENYING MOTION TO SET RE-SENTENCING HEARING

Before the court is defendant's June 29, 2005, motion to set a re-sentencing hearing in this matter. Defendant's motion states that the Supreme Court granted defendant's application for writ of certiorari on January 24, 2005, and remanded the case to the Sixth Circuit Court of Appeals. The court consulted with Sixth Circuit Court of Appeals Deputy Clerk Diane Schnur on June 30, 2005. Ms. Schnur advises that this case did not go before the Supreme Court and that a mandate is scheduled to be issued in this case on July 1, 2005. When the court receives the mandate from the Sixth Circuit Court of Appeals, the matter will be set for re-sentencing. For the foregoing reasons, defendant's motion to set the re-sentencing hearing is DENIED.

It is so ORDERED this 6th day of July, 2005.



SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 107 in case 2:02-CR-20168 was distributed by fax, mail, or direct printing on July 12, 2005 to the parties listed.

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Honorable Samuel Mays  
US DISTRICT COURT